TRINITY COUNTY
PLANNING DEPARTMENT NATURAL RESOURCES DIVISION
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Notice of Preparation
For An Environmental Impact Report

Indian Creek Rehabilitation Project: Trinity River Mile 93.7 to 96.5

TO: Responsible and Trustee Agencies, and Interested Parties

FROM: Trinity County Planning Department

SUBJECT: Notice of Preparation for a Joint Draft Environmental Impact Report (EIR) and Environmental Assessment (EA) for the Bureau of Reclamation, Trinity River Restoration Program: Indian Creek Rehabilitation Project: Trinity River Mile 93.7 to 96.5. The Draft EIR/EA will be a joint document, which meets both California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) requirements.

CEQA LEAD AGENCY: Trinity County Planning Department (County)

NEPA LEAD AGENCY: U.S. Bureau of Reclamation (Reclamation)

NEPA COOPERATING AGENCY: U.S. Bureau of Land Management

PROJECT TITLE: Indian Creek Rehabilitation Project: Trinity River Mile 93.7 to 96.5

PUBLIC SCOPING MEETING: A public scoping meeting will be held on February 8, 2006 at 6:30 pm at the Board of Supervisors Chambers at the Weaverville Library, 211 Main Street, Weaverville, CA. Information on the project will be presented and comments on the scope of the joint EIR/EA will be accepted. Announcement of the meeting will be made in Weaverville's local newspaper, the Trinity Journal, and by letter to local landowners and interested parties.

NOTICE OF PREPARATION COMMENT PERIOD: A public review period for the Notice of Preparation has been established for a thirty day (30) period from January 20, 2006 to February 21, 2006. The purpose of this comment period is to provide involved agencies and the public with an opportunity to learn about the project and to solicit comments to assist the Lead Agencies in identifying the range of actions, alternatives, mitigation measures, and environmental effects to be analyzed in the joint EIR/EA. The County, as CEQA Lead Agency,

and other agencies will use this joint EIR/EA when considering proposed actions, permits, and/or other approvals for the project.

Public and agency comments must be received no later than 5:00 p.m. on February 21, 2006.
PLEASE ADDRESS COMMENTS QUESTIONS AND RESPONSES TO:

Trinity County Planning Department Natural Resources Division
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Approximately 3 months after close of the public review period for the scoping process, the Lead Agencies will issue the draft EIR/EA and will provide members of the public and other interested parties an opportunity to review and provide comments on the project.

PROJECT PROPONENT:
U.S. Bureau of Reclamation, Northern California Area Office
Trinity River Restoration Program (TRRP)
P.O. Box 1300
1313 Main Street
Weaverville, CA 96093

BACKGROUND: The Central Valley Project Improvement Act (1992) and the 1955 Trinity River Act provide the legal authority for projects that restore the fishery resources of the Trinity River. Specifically, these acts include language intended to require the federal government to preserve, propagate, protect, restore, and enhance fish, wildlife, and associated habitats within the Trinity River Basin.

In December 2000, the Secretary of Interior signed a Record of Decision (ROD) for the Trinity River Fishery Restoration Final Environmental Impact Statement (FEIS). This decision recognized that restoration and maintenance of the Trinity River's fishery resources requires rehabilitating the river itself, and restoring the attributes that produce a healthy, functioning alluvial river system. Consequently, the ROD included five components to ensure long-term restoration and maintenance of the Trinity River: a) Variable annual instream s ranging from 369,000 acre-feet (af) in critically dry years to 815,000 af in extremely wet years; b) Physical channel rehabilitation, including the removal of riparian berms and the establishment of side channel habitat; c) Sediment management, including the supplementation of spawning gravels below Lewiston dam and reduction in fine sediments which degrade fish habitats; d) Watershed restoration efforts, addressing negative impacts which have resulted from land use practices in the Basin; and e) Infrastructure improvements or modifications, including rebuilding or fortifying bridges and addressing other structures affected by peak instream s provided by the

ROD. The Trinity River Restoration Program office in Weaverville, California was opened in September 2002 for the purpose of implementing the ROD.

The ROD's channel rehabilitation component focuses attention on the need to physically manipulate the bank and floodplain features of the Trinity River between River Mile 112.0 (Lewiston Dam) and River Mile 72.4 (North Fork Trinity River). The channel reconstruction is intended to restore the Trinity River's historic alternate point bar morphology and habitat complexity to improve fishery resources. The Indian Creek Rehabilitation Project: Trinity River Mile 93.7 to 96.5 (Project) is the third channel rehabilitation project already built or in the planning stages that will work together to enhance river processes and to increase fisheries habitat downstream of Lewiston Dam. This project has no specific flood control objectives. The project purpose and need is to provide increased juvenile salmonid rearing habitat on the mainstem Trinity River, and to reduce flow impacts to homes and other human improvements located adjacent to the Trinity River, from implementation of ROD flows.

The Trinity County Planning Department (County), which issued Floodplain Development Permits under separate CEQA Notice of Determinations for both the Trinity River Restoration Program's Hocker Flat Channel Rehabilitation pilot project and the Trinity River Bridges Project, has permitting authority for this project, and as noted above, will serve as the state CEQA Lead Agency and will prepare an Environmental Impact Report (EIR) for the project as described below. The County requests your views concerning the scope and content of the environmental information germane to your interests or agency's statutory responsibilities in connection with the proposed project. The public and reviewing agencies will need to use this joint EIR/EA, prepared by the County and Reclamation, when considering proposed actions, permits, or other project approvals.

A project description, location maps, and a summary of the potential environmental effects are included in this Notice of Preparation.

PROJECT LOCATION: The proposed project site is located along an approximately 2.73 mile stretch of mainstem Trinity River between the communities of Lewiston and Douglas City, Trinity County, California; Trinity River Mile 93.7 to 96.5. The proposed project will be located between the geographic locales of Township 32 North, Range 9 West, Section 4 and Township 32 North, Range 10 West, Section 1 Mt. Diablo Meridian Baseline (40° 39' 13" N, 122° 53' 56" W and 40° 39' 02" N, 122° 56' 27" W). The vicinity of the project is shown in **Figure 1**. Each channel rehabilitation site is referred to by the phase they will take place during implementation of the project; while collectively all phases are referred to as the Indian Creek Rehabilitation Project (Project). The Environmental Study Limits (ESLs) for the project site is illustrated in the Project Location Map, **Figure 2**.

PROJECT DESCRIPTION: Within the project Environmental Study Limit (ESL), discrete activity areas have been identified. Within these activity areas, a variety of specific actions may be conducted that are intended to enhance or reestablish the Trinity River's alternate point bar morphology and channel complexity, and to subsequently provide an increase in useable fish habitat. In addition, these actions are intended to enhance the riparian and terrestrial habitat

adjacent to the Trinity River. The following actions may be conducted in one or more activity areas as part of this project:

- Removal of Vegetation, including Mature Riparian Vegetation
- Earthwork in the Trinity River Floodplain and within the active river channel
- Material Transportation
- Material Disposal in compliance with the Surface Mining and Reclamation Act and Section 30.1 of the Trinity County Zoning Ordinance (Mining)
- Revegetation

POTENTIAL ENVIRONMENTAL EFFECTS: The joint EIR/EA is being prepared to evaluate potential impacts to the environment and their levels of significance, if any. The following section provides a brief discussion of the environmental factors and anticipated impacts that will be addressed in the joint EIR/EA.

Air Quality. The EIR/EA will address regional air quality conditions in Trinity County and the air quality impacts resulting from the actions incorporated into this project. Air quality will be examined to determine if the proposed Project would result in a conflict with the North Coast Unified Air Quality Management District regional air quality plan. The nearby Weaverville Basin is in moderate "non-attainment" of state PM10 standards. Vehicle exhaust and fugitive dust from construction activities on and adjacent to the site, as well as transport of excess material offsite will be considered. There will be no anticipated operational air quality impacts after construction has been completed and all materials have been spoiled.

Noise. Potential noise impacts associated with construction will be assessed in the EIR/EA. Noise levels will be evaluated for consistency with the Douglas City Community Plan, the Trinity County General Plan and Zoning Ordinance, and State and federal standards and guidelines regulating noise on public and private lands.

Geology and Soils. Geological and seismic safety, and soils stability will be addressed in the EIR/EA. The project may open access to marketable mineral resources (e.g., sand and gravel) that are not presently available. Mineral resources will also be addressed, particularly as they relate to activities authorized under the federal 1872 Mining Law, Section 30.1 of the Trinity County Zoning Ordinance (Mining) and the Surface Mining and Reclamation Act.

Hydrology, Water Quality, and Floodplains. The EIR/EA will address any hydrology, water quality, and floodplain impacts that may occur as a result of the proposed project.

The construction phase of the project may have the potential to increase erosion, turbidity, and sedimentation levels downstream of the project sites. Work within the floodplain will be subject to streambed alteration agreement conditions issued by the California Department of Fish and Game. Activities within the active channel of the Trinity River will be subject to water quality limitations imposed by the California North Coast Regional Water Quality Control Board in conjunction with the issuance of a 401 Certification pursuant to the federal Clean Water Act.

The Trinity River has been listed under Section 303(d) of the Clean Water Act as a waterbody impaired by sediment. A Total Maximum Daily Load (TMDL) for the Trinity River was completed by the U.S. Environmental Protection Agency in December 2001. It is anticipated that the completed project will improve the beneficial uses of the Trinity River (cold water fisheries) that are impaired by sediment.

Per federal Executive Order 11988 (pertaining to floodplain involvement), public notice is hereby given that the project includes construction within the 100-year floodplain. Portions of the project are within Zone AE on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM), on public and private lands. Areas within Zone AE have specific elevations designated for the Base Flood Elevation (BFE), which is the 100-year floodwater elevation. It is anticipated that completion of the proposed project will reduce flooding risks and will not adversely affect the 100-year floodplain delineation. Project activities in designated floodplains on private lands will require issuance of a Floodplain Development Permit from Trinity County pursuant to Section 29.4 of the Trinity County Zoning Ordinance.

Biological Resources. Existing biological conditions within the Trinity River and the area surrounding the project sites will be described, and potential impacts of the proposed Project on vegetation and wildlife will be assessed. The EIR/EA will evaluate the likelihood for any construction-related significant biological impacts, including effects on endangered, threatened, rare, or other special status plant and animal species, and wetland/special aquatic resources. Long-term environmental impacts on biological resources are anticipated to be beneficial.

The proposed Project ESL has the potential to support a variety of special-status species (listed and non-listed). Spring and fall Chinook salmon, coho salmon, Pacific Lamprey and summer and winter steelhead are known to spawn within the Trinity River and its tributaries. Habitat for various life stages is available for the species within the study limits of the project. In addition, the Trinity River is designated as critical habitat for coho salmon by the National Oceanic and Atmospheric Administration: Fisheries Section (NOAA Fisheries). A comprehensive plant and wildlife inventory to determine species presence/absence and potential project-related effects to species that may be present will be completed. Other special-status and listed species within the project area could potentially include the willow flycatcher, green sturgeon, silky cryptantha, northwestern pond turtle, yellow warbler, yellow-breasted chat, bald eagle, and osprey.

Because there are no known listed riparian and terrestrial species under the jurisdiction of the U.S. Fish and Wildlife Service within the project ESL, a Biological Assessment is not expected to be required based on the scope of the project pursuant to Section 7 of the Federal Endangered Species Act (ESA). A Biological Opinion (BO) was issued by NOAA Fisheries on October 12, 2000 for the Trinity River Fisheries Restoration Program. This BO is considered adequate to address listed fish species that may be affected by this project.

The project will be assessed for consistency with the state and federal Wild and Scenic Rivers Acts, as well as the California Fish and Game Code (Sections 1600 and 2080). Completion of the proposed Project is expected to enhance anadromous salmon and steelhead fisheries; both identified as outstandingly remarkable values of the Trinity River.

The proposed Project includes a variety of riparian and wetland habitat elements. These elements are considered sensitive, and ecologically important to a variety of human and natural resources. Activities associated with the project could result in the loss of an undetermined acreage of riparian habitat.

Per federal Executive Orders 11990 (pertaining to wetlands), public notice is hereby given that the project may encroach upon wetlands. Construction activities associated with the proposed Project could result in temporary and permanent impacts to wetland features within the ESL that are subject to U.S. Army Corps of Engineer's (ACOE) jurisdiction, pursuant to Section 404 of the Clean Water Act. Within the ESL, a delineation of jurisdictional waters of the United States has been conducted and a delineation report submitted to the ACOE for verification.

Cultural Resources. A cultural resources survey and evaluation will be conducted, in compliance with the cultural resource Programmatic Agreement (PA) prepared for the Trinity River Restoration Program in cooperation with federal agencies, Hoopa Valley Tribe, Yurok Tribe, Tsnungwe Nation, Nor-El-Muk Band of Wintu Indians, the California State Historic Preservation officer, and the advisory council on historic preservation. This evaluation will assess the area within the project ESL to determine the presence and significance of cultural and archaeological resources identified. The project site does not contain any known prehistoric cultural resources; however, there may be cultural resources that are currently hidden within the project study limits that could be unearthed and discovered during the construction phase of the proposed Project. If cultural resources are encountered during the survey, a determination will be made in compliance with the PA and CEQA Guidelines section 15064.5.

Hazards. The actions associated with the proposed Project are not expected to involve the use of hazardous materials and, therefore, will not expose the public to significant hazard. Historic Mercury deposits from past mining efforts may exist on site. However, based on findings at the Hocker Flat site, chemical binding of Mercury to the soils is expected to be below levels of concern.

Land Use. The proposed Project is consistent with Trinity County's General Plan and related policies. Potential material extraction and disposal activities will be incorporated into the project design and in compliance with SMARA guidelines. Growth-inducing impacts are not expected to occur as a result of the project, but will be examined.

Socioeconomic/Displacements/Environmental Justice. Right-of-way acquisition, residential/business displacements, relocation assistance, business impacts, and neighborhood cohesion will be analyzed pursuant to both CEQA and NEPA. In addition, environmental justice concerns will be addressed pursuant to NEPA. No significant impacts in this context are expected.

Public Services/Utilities. An analysis of public services and utilities associated with the proposed Project will be included in the EIR/EA. No significant impacts in this context are expected.

Visual Resources. A Visual Impact Analysis will be included in the EIR/EA describing the existing visual characteristics of the project area and analyzing any potential visual impacts. No long-term significant visual effects are anticipated.

Transportation and Circulation. Transportation and circulation impacts associated with the proposed Project will be analyzed, including access during construction, and any impacts to public roads, including State Highway 299 and the associated bridge over the Trinity River located immediately downstream of the ESL. A principal objective of the proposed Project is to ensure implementation in a manner that provides safe transit in and adjacent to the project area. Activities within existing Right-of-Ways for public roads may require issuance of an encroachment permit from the responsible public agency.

Construction Impacts. The document will identify and analyze any further short-term construction impacts associated with air quality, noise, water quality, traffic congestion and detours, safety, visual, business access, community facilities, etc.